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Typed or Printed Name of Person Signing this Certificate:

Wendy A. Frick

Signed:

Wendy A. Frick

Customer Number

24024

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Simard, et al.

Serial No.: 10/508,738

Int'l Filing Date: March 25, 2003

For: **CHEMOTHERAPEUTIC AGENTS AS  
ANTI-CANCER ADJUVENTS AND  
THERAPEUTIC METHODS  
THEREOF**

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Attorney Docket No.: 24913/04004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated March 16, 2005, applicants respectfully submit the enclosed executed Declaration and Power of Attorney and executed Statement Under 1.821(f). A check in the amount of \$315.00 is also enclosed as payment of the appropriate surcharge and additional claims fees. A copy of the Notice of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) received from the Patent Office is also enclosed.

05/23/2005 GFREY1 00000037 10508738

01 FC:2617  
02 FC:2615

65.00 DP  
250.00 DP

If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date:

May 16, 2005

Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/508,738	FIRST NAMED APPLICANT Eric Simard	ATTY. DOCKET NO. 24913/04004 ✓
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INTERNATIONAL APPLICATION NO. PCT/CA03/00434	
I.A. FILING DATE 03/25/2003	PRIORITY DATE 03/25/2002

CONFIRMATION NO. 9696

371 FORMALITIES LETTER



\*OC000000015459011\*

Date Mailed: 03/16/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/21/2004
- Copy of the International Search Report filed on 09/21/2004
- Biochemical Sequence Diskette filed on 09/21/2004
- Biochemical Sequence Listing filed on 09/21/2004
- U.S. Basic National Fees filed on 09/21/2004
- Priority Documents filed on 09/21/2004

Case Number	Ctry	Sub Case	Action Due	Due Date
2491304004	US	US-MISSING PART	MISSING PARTS	16-May-2005
			1ST EXTENSION	16-Jun-2005
			2ND EXTENSION	16-Jul-2005
			3RD EXTENSION	16-Aug-2005
			4TH EXTENSION	16-Sep-2005
			FINAL MISSING PARTS	16-Oct-2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$250** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$315** for a Small Entity:

**DOCKETED**  
**RECEIVED** MAR 21 2005  
MAR 21 2005 DBC IP. DEPT.  
D.C. IP. Dept.

PAD

- **\$65** Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - **APPLICANT MUST PROVIDE:**
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Total additional claim fee(s) for this application is **\$ 250**
  - **\$250** for 28 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/508,738	PCT/CA03/00434	24913/04004